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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Fingerhut et al.

Serial No.: 09/739,815

Filed: December 20, 2000

For: NETWORK TRAFFIC ANALYZER



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Honorable Commissioner of
Patent and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR 1.56 and 1.97(b), the attention of the Patent and Trademark Office is hereby directed to the following reference listed on the attached PTO-1449. The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A copy of the document listed on the PTO-1449 is attached. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that the listed document is material or constitute "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1390.

Respectfully submitted,



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Date: May 15, 001

Attorney Docket No.: BS00-192

